

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28470 of 2021

Arising Out of PS. Case No.-109 Year-2020 Thana- ROHTAS District- Rohtas

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1. SONA DEVI W/O Prayag Paswan Resident of Village - Sundarganj, P.S.- Rohtas, District- Rohtas.
 2. DURGA KUMARI W/O Late Deo Kumar Paswan Resident of Village - Sundarganj, P.S.- Rohtas, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

Learned counsel for the petitioners seeks permission
of the Court to withdraw the present application in respect of
petitioner no. 2 as she has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner no. 2.



The petitioner no. 1 is apprehending her arrest in a case registered under Sections 302, 328, 323, 341/34 of the Indian Penal Code.

Prosecution allegation, in short, is that the informant's son was taken by his wife at his sasural where he was beaten by his in-laws including his wife whereafter the son of the informant died.

It has been submitted on behalf of the petitioner no. 1 that she has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 1. The petitioner no. 1 has falsely been implicated in the present case. The petitioner no.1 is the mother-in-law of the deceased. The name of petitioner no. 1 has transpired merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of petitioner no. 1 in the present case. As per the post-mortem report, there is no external injury on the body of the deceased. The dead body of the deceased is said to have been found one k.m. away from the house of the petitioner no. 1 kept by a side of A.T.M.

On behalf of the State, it is submitted that the petitioner no. 1 is named in the F.I.R.

Considering the aforesaid facts and circumstances,



let the petitioner no. 1, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dehri, Rohtas in connection with Rohtas P.S. Case No. 109/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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